



Docket No. 455-020

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
JEFFREY S. KIEL :
Serial No.: 10/505,347 : Group Art Unit: 1615
Filed: August 19, 2004 :
For: DIPHENHYDRAMINE TANNATE SOLID DOSE
COMPOSITIONS AND METHODS OF USE

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant discloses to the Examiner under 37 CFR 1.56, and 37 CFR 1.97-1.98, as revised (1135 OG 13) and effective March 16, 1992, the information listed on the attached form PTO - 1449. This information may be found to be material to this invention under the current applicable patent law and as interpreted by the US PTO Rules, as cited above. Review and consideration of the listed references/information during substantive examination of this application is respectfully requested.

Applicant specifically emphasizes that this statement, and/or the act of identifying this information, is not to be construed as an admission that all or any of it is prior art to

the specific invention disclosed and claimed. Also nothing in this statement is to be construed as a representation that this is the only material information to be found, or the best. If additional material information is discovered in the future, a prompt submission will be made to fulfill applicant's continuing duty of disclosure under 37 CFR 1.56.

Respectfully submitted,

KING & SCHICKLI, PLLC


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CERTIFICATE OF MAILING

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Date Jan. 12, 2005 J. Williams



PTO/SB/08A (10-01)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

of

Complete if Known

Application Number	10/505,347
Filing Date	08/19/2004
First Named Inventor	JEFFREY S. KIEL
Art Unit	1615
Examiner Name	
Attorney Docket Number	455-020

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	us- 6,306,904	10/23/2001	GORDZIEL	
	2	us- 6,117,452	09/12/2000	AHLGREN ET AL.	
	3	us- 5,759,579	06/02/1998	SINGH ET AL.	
	4	us- 5,614,178	03/25/1997	BLOOM ET AL.	
	5	us- 5,599,846	02/04/1997	CHOPDEKAR ET AL.	
	6	us- 5,164,398	11/17/1992	SIMS ET AL.	
	7	us- 5,025,019	06/18/1991	SUNSHINE ET AL.	
	8	us- 4,839,354	06/13/1989	SUNSHINE ET AL.	
	9	us- 4,767,402	08/30/1988	KOST ET AL.	
	10	us- 4,749,723	06/07/1988	SUNSHINE ET AL.	
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	15	us- 4,619,934	10/28/1986	SUNSHINE ET AL.	
	16	us- 4,309,989	01/12/1982	FAHIM	
	17	us- 3,282,789	11/01/1966	MARTY ET AL.	
	18	us- 2,950,309	08/23/1960	CAVALLITO	
	19	us- 2,421,714	06/03/1947	RIEVESCHL	
	20	us- 2,397,799	04/02/1946	MARTIN ET AL.	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

Examiner
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		Number - Kind Code ² (if known)			
	21	us- 6,740,312	05/25/2004	CHOPIN ET AL.	
	22	us- 6,703,044	03/09/2004	PINHASI ET AL.	
	23	us- 6,509,492	01/21/2003	VENKATARAMAN	
	24	us- 6,403,119	06/11/2002	OPPENHEIM ET AL.	
	25	us- 6,287,597	09/11/2001	GORDZIEL	
	26	us- 6,187,315	02/13/2001	FALCON	
	27	us- 6,063,770	05/16/2000	FALCON	
	28	us- 6,083,490	07/04/2000	ELLIS ET AL.	
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	30	us- 5,663,415	09/02/1997	CHOPDEKAR ET AL.	
	31	us- 5,948,414	09/07/1999	WIERSMA	
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	33	us- 4,552,899	11/12/1985	SUNSHINE ET AL.	
	34	us- 6,462,094	10/08/2002	DANG ET AL.	
	35	us- 6,417,206	07/09/2002	LEFLEIN ET AL.	
	US-				

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Group Art Unit	1615
Examiner Name	

Attorney Docket Number

455-020

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	1	CYPRESS PHARMACEUTICAL, INC., "R-Tannic-S A/D," RX Only, Cypress Pharmaceutical, Inc., (Madison, MS), p. 1, 2 (March 1, 2001).	
	2	DSC LABORATORIES, "Phenylephrine Tannate/Pyrilamine Tannate Suspension," RX Only, DSC Laboratories (Muskegon, MI), p. 1, 2 (Aug. 1, 2001).	
	3	RONALD GOLDBERG, M.D. and FRANKLIN SHUMAN, M.D., "Evaluation of a Prolonged Action Oral Antihistaminic Preparation as Treatment for Allergic Disorders," Clinical Report, Clinical Medicine (Washington), Vol. 72 (No. 9), pp. 1475-1479 (Sept. 1, 1965).	
	4	JOHN WEILER, M.D. ET AL., "Randomized, double-blind, parallel groups, placebo-controlled study of efficacy and safety of Rynatan in the treatment of allergic rhinitis using an acute model," Annals of Allergy, ACAI (Iowa City, IA), Vol. 64 (No. 1), p. 63-67 (Jan. 1, 1990).	
	5	(455-016) U.S. Patent Application No. 10/119,285 filed 04/09/2002: "Process for Preparing Tannate Liquid and Semi-Solid Dosage Forms" (Notice of Allowance has been issued)	
	6	(455-016 CONT) U.S. Patent Application No. 10/921,438 filed 08/19/2004: "Process for Preparing Tannate Liquid and Semi-Solid Dosage Forms"	
	7	(455-017) U.S. Published Patent Application No. US2003/0077321 A1 published on April 24, 2003: "Process for Preparing Tannate Tablet, Capsule or other Solid Dosage Forms"	
	8	(455-020) U.S. Patent Application No. 10/505,347 filed 08/19/2004: "Diphenhydramine Tannate Solid Dose Compositions and Methods of Use"	
	9	(455-021) U.S. Published Patent Application No. US/2004/0234593 published on November 25, 2004: "Diphenhydramine Tannate Compositions and Methods of Use"	
	10	(455-030) U.S. Patent Application No. 10/799,302 filed 03/12/2004: "Single Tank Process For Preparing Tannate Liquid and Semi-Solid Dosage Forms"	

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